

Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Rudy N. Garcia
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: *January 8, 2019*

TO: *Board of County Commissioners*

VIA: *Katherine Miller, County Manager*

FROM: *Michael Kelley, PE, Public Works Department Director MK 10/11/19*

ITEM AND ISSUE: *BCC Meeting January 29, 2019*

Resolution No. 2019-____, A Resolution Adopting a Schedule of New Water Deliveries for the First Six Months of 2019 Pursuant to Resolution 2006-57 (Public Works Department/John Dupuis)

SUMMARY:

Pursuant to Santa Fe County policy adopted under Resolution No. 2006-57 (County Water Policy), Santa Fe County Utilities (SFCU) requests approval of a schedule of new water deliveries that are expected to commence in the first six months of 2019.

BACKGROUND:

County Water Policy requires developments seeking water from SFCU within one year to apply to SFCU to schedule a new water delivery. The Board of County Commissioners (BCC) adopts a schedule of all new water deliveries every six months by resolution, which remains in effect for one year. In addition, prior to the submitting for development approval, SFCU conditionally issues "ready, willing and able" letters for a project's water demand. Such deliveries are subject to various conditions including BCC approval and, in most cases, that the developer provides the County water rights to cover its water demand.

The BCC has previously approved 2,777.316 acre-feet per year (afy) for various projects and requests approval of 1.596 afy for a single project for the first six months of 2019.

DISCUSSION:

Pursuant to the attached proposed resolution, SFCU requests the BCC to adopt the schedule of new water deliveries for the first six months of 2019, as set out in Exhibit A to this resolution.

JJR Greenhouse seeks to schedule a new water delivery to an existing property in the amount of 1.33 acre-feet per year (AFY), exclusive of the additional 20% required under the Water Service

Policy. A Water Delivery Agreement was approved by the BCC in November of 2018 under which the County will provide water.

ACTION REQUESTED:

Adoption of subject resolution.

Attachments:

Resolution No. 2019-____, A Resolution Adopting A Schedule Of New Water Deliveries For The First Six Months of 2019 Pursuant to Resolution 2006-57.

Exhibit A – Schedule of New Water Deliveries For The First Six Months Of 2019.

EXHIBIT A

1. SCHEDULE OF NEW WATER DELIVERIES
FOR THE FIRST SIX MONTHS OF 2019

APPLICANT	DEVELOPMENT	NEW DELIVER (AFY)	TOTAL (AFY)
JJR Greenhouse		1.33	1.596
TOTAL		1.33	1.596

**THE BOARD OF COUNTY COMMISSIONERS OF SANTA
FE COUNTY
RESOLUTION NO. 2019 - _____**

**A RESOLUTION ADOPTING A SCHEDULE OF NEW WATER
DELIVERIES FOR THE FIRST SIX MONTHS OF 2019 PURSUANT
TO RESOLUTION 2006-57**

WHEREAS, pursuant to the Santa Fe County ("County") Water Department Line Extension and Water Service Policy ("Water Service Policy"), adopted by Resolution No. 2006-57, subdivisions and commercial developments that desire new water service from the County Utility must apply to the County to schedule new water deliveries; and

WHEREAS, the County schedules new water deliveries in six-month intervals;
and

WHEREAS, the applications for new water deliveries are set out in Exhibit A to this Resolution; and

WHEREAS, the Board of County Commissioners (Board) adopts schedules of new water deliveries for administrative purposes only, and merely being listed on the schedule does not, in and of itself, entitle an applicant to County water service; and

WHEREAS, in addition to being listed on a schedule for new water deliveries, applicants for County water service must enter into a water delivery agreement with the County; and

WHEREAS, the water delivery agreement will, among other things, require the applicant to provide for the County's acquisition of water rights in the amount of the requested new water delivery plus 20%; and

WHEREAS, in addition to a water delivery agreement, applicants for new water deliveries may, as a condition of water service, be required to enter into a line extension agreement with the County, construct and dedicate infrastructure to the County, obtain development approvals in accordance with the County Sustainable Land Development Code (SLDC), or fulfill such other conditions and requirements as may apply to an applicant's development; and

WHEREAS, the schedule of new water deliveries described on Exhibit A and adopted hereby does not entitle the applicants to County water service unless and until they have timely complied with all applicable conditions of service, nor does the schedule imply County approval of any pending or future development application.

NOW, THEREFORE, BE IT RESOLVED by the Board that:

1. The schedule of new water deliveries for the first six months of 2019, as set out in Exhibit A to this Resolution, is adopted.
2. The schedule of new water deliveries set out in Exhibit A shall expire one year after the date of this Resolution.
3. Any applicant shown on Exhibit A that does not take delivery of their scheduled amount of water before the current schedule expires shall not thereafter be entitled to the delivery unless they reapply and are scheduled for a new water delivery, except as otherwise expressly provided in their water delivery agreement.

PASSED, APPROVED, AND ADOPTED THIS ____ **DAY OF** _____ **2019.**

BOARD OF COUNTY COMMISSIONERS


By: _____
Anna Hansen, Chair

ATTEST:

Geraldine Salazar, Santa Fe County Clerk

Date: _____

APPROVED AS TO FORM:



R. Bruce Frederick, Santa Fe County Attorney

Date: 1/11/2019

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